IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1288 OF 2003
IN
EXECUTION APPLICATION NO.282 OF 2003
IN
AWARD DATED 29TH MAY, 2001

Mr.Babubhai Thiba ....Plaintiff

V/s.

Mr.Rafique Sarang ....Defendant

And

Mr.Anish D. Thawrani ....Applicant

V/s.

The Sheriff of Bombay & Anr. ....Respondents

Mr.Ankush Bansal i/b Bansal & Bansal for the Applicant.

Mr.A.M. Saraogi for Respondent No.2.

CORAM : S.J. VAZIFDAR, J.
DATED : 24TH AUGUST, 2004.

P.C. :

1. The documents on record clearly established that the Applicant is the owner of the suit property and that the Defendant has no right, title and interest thereto. The execution in respect of the property therefore is not sustainable. The attachment

and all the steps taken in execution proceedings in respect of the suit property shall stand raised forthwith.

2. In the circumstances, the Chamber Summons is made absolute in terms of prayer (a).

3. Mr.Saraogi states that he does not insist on any reasons for the order.

. All the concerned parties to act on an ordinary copy of this order duly authenticated by the Chamber Registrar / Court Stenographer of this Court.